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REMARKS

Reconsideration of this application based on the foregoing Amendment and the following Remarks, in conjunction with the accompanying request for continued examination (RCE), is respectfully requested.

Allowable Subject Matter

In the First Office Action of October 28, 2002, the Examiner objected to claims 5, 6, 8, 9, 13-16, 22, 37, 38, 40, 41, 46, 69, 72 and 77 as being dependent upon a rejected base claim, but would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

The Examiner now has allowed claims 5, 6, 8, 9, 13-16 and 72.

The Examiner indicates that claims 20-23 and 69 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, as discussed below, and to include all of the limitations of the base claim and any intervening claims.

The Examiner now objects to claims 34, 36-41, 46, 53, 65 and 77 as being dependent upon a rejected base claim, but would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

In response, the applicants have rewritten claims 34, 65 and 77 into independent form including all of the limitations of the rejected base claims 33, 63 and 75, respectively. In that claims 34-58 collectively depend on allowed claim 34,

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the applicants respectfully request the Examiner to withdraw the objections to claims 34, 36-41, 46 and 53 and to consider claims 34-58 to be allowable.

Similarly, in that claim 65 has been rewritten into independent form including all of the limitations of rejected base claim 63, and since claim 64 now depends from allowable claim 65, the applicants respectfully request the Examiner to withdraw the objection to claim 65 and to consider claims 64-65 to be allowable. In that claim 77 has been rewritten into independent form including all of the limitations of base claim 75, and since claims 76, 78 and 79 now depend from claim 77, the applicants respectfully request the Examiner to withdraw the objection to claim 77 and to consider claims 76-79 to be allowable.

35 U.S.C. 112, Second Paragraph Rejections: Claims 20-23 and 67-70

The Examiner has rejected claims 20-23 and 67-70 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

The Examiner indicates that claims 20-23 are indefinite because they collectively depend on cancelled claim 1.

In response, the applicants note that in the Response Under 37 C.F.R. 1.111 filed January 30, 2003, the applicants had failed to amend claim 20 to change its dependency from cancelled claim 1 to allowed claim 5. Therefore, the applicants are hereby amending claim 20 to change its dependency from previously cancelled claim 1 to allowed claim 5. Therefore, claims 20-23 are now allowable.

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Similarly, claims 67-70 currently depend directly or indirectly from cancelled claim 66. The Examiner indicates that claim 69 is allowable.

In response, the applicants have rewritten claim 67 into independent form.

Regarding claims 68 and 70, the Examiner asserts that the limitation "said expansion" is indefinite as being the same as or different from the preceding "light-permeable expander" of amended claim 67.

In response, the applicants have amended claims 68 and 70 to recite the limitation --said light-permeable expander--. Claims 68-70 now depend on independent claim 67.

As a result, the applicants respectfully request the Examiner to withdraw the rejections of claims 20-23 and 67-70 under 35 U.S.C. 112, second paragraph.

At the outset, prior to addressing the rejections over the prior art, the applicants call to the Examiner's attention the following actions taken by the applicants:

1. Claims 1-4 were previously cancelled without prejudice. New claims 81 and 82 have been added which are analogous to previous claims 2 and 3 but which depend from allowed claim 5.
2. New claims 83 and 84 have been added which are analogous to previous claims 2 and 3, but which depend on allowed claim 6.
3. New claim 85 has been added which is analogous to previous claim 7 but which depends on allowed claim 5.

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4. New claim 86 has been added which is analogous to previous claim 7 but which depends on allowed claim 6.
5. New claims 87-89 have been added which are analogous to previous claims 10-12 but which depend on allowed claim 5.
6. New claims 90-92 have been added which are analogous to previous claims 10-12 but which depend on allowed claim 6.
7. New claims 93-95 have been added which are analogous to previous claims 10-12 but which depend on allowed claim 8.
8. New claims 96-98 have been added which are analogous to previous claims 17-19 but which depend on allowed claim 5.
9. New claims 99-101 have been added which are analogous to previous claims 17-19 but which depend on allowed claim 6.
10. New claims 102-104 have been added which are analogous to previous claims 17-19 but which depend on allowed claim 8.
11. As noted previously, the dependency of allowable claim 20 has been changed from cancelled claim 1 to allowed claim 5. Therefore, claims 20-23 are now allowable.
12. New claims 105-108 have been added which are analogous to claims 20-23 but which depend on allowed claim 6.

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13. New claims 109-112 have been added which are analogous to claims 20-23 but which depend on allowed claim 8.

14. New claims 113-121 have been added which are analogous to previous claims 24-32 but which depend on allowed claim 5.

15. New claims 122-130 have been added which are analogous to previous claims 24-32 but which depend on allowed claim 6.

16. New claims 131-139 have been added which are analogous to previous claims 24-32 but which depend on allowed claim 8.

17. Claim 33 has been cancelled without prejudice.

18. Allowable claim 34 has been rewritten into independent form including all of the limitations of base claim 33.

19. The dependency of allowable claims 35, 36, 42, 43, 44, 49, 50, 52, 54 and 55 has been changed from cancelled claim 33 to allowable claim 34.

20. In the first response filed on January 30, 2003, the applicants presented arguments in favor of claim 60. In view of the arguments presented in favor of claim 60, the applicants maintain that the applicant never intended to cancel claim 60. Nevertheless, claims 59-62 were cancelled erroneously. Therefore, the applicants have added new claim 140 which is analogous to previous claim 60 but rewritten into independent form including all of the limitations of previous claim

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59. Claims 141-142 are analogous to previous claims 61-62 but which depend from new claim 140. The applicants' arguments with respect to new claims 140-142 are the same as for claim 60 presented previously over JP 10-50124 and MAEDA et al (US 6,285,422), i.e., claim 140 recites the limitation of --a *half-mirror located between said first substrate and said optical conductor*--.

The Examiner asserted that MAEDA ET AL, Fig. 22, discloses a half-mirror 220 between a substrate (16) associated with an LCD (10, Fig. 1) and an optical conductor of a lighting device 17, Figs. 1 and 22).

In response, the applicants maintained that 16 in MAEDA ET AL is not a substrate but instead is a polarized light separator, as disclosed in column 29, lines 24-25. Therefore, neither JP 10-50124 (1) nor MAEDA ET AL (9) disclose, teach or suggest the limitations of claim 140 of a half-mirror located between first and second substrates, as recited now by claim 140. Consequently, the applicants respectfully request the Examiner to consider new claims 140-142 allowable.

21. Claim 63 has been cancelled without prejudice. Allowable claim 65 has been rewritten into independent form including all of the limitations of base claim 63.

22. The dependency of claim 64 has been changed from cancelled claim 63 to allowable claim 65.

23. Claim 66 was previously cancelled without prejudice. As noted previously, claim 67 has been rewritten into independent form including all of the limitations of cancelled base claim 66. As noted previously, claims 68-70 now collectively

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depend on independent claim 67.

24. New claim 143 has been added which is analogous to previous claim 71 but which now depends from independent claim 67.

25. New claims 144-145 have been added which are analogous to previous claims 73-74 but which now depends from independent claim 67 .

26. Claim 75 has been cancelled without prejudice.

27. Allowable claim 77 has been rewritten into independent form by including all of the limitations of cancelled base claim 75.

28. The dependency of claims 76 and 78-79 has been changed from cancelled claim 75 to allowable claim 77.

The applicants have not abandoned the subject matter of cancelled claims 33, 59, 63 and 75 and reserve the right to file a continuation application directed thereto. Furthermore, in view of the support indicated above, no new matter has been added by the addition of new claims 81-145.

Response to Arguments

The Examiner indicates in the Response to Arguments that the applicants' arguments with respect to the claims have resulted in the withdrawal of the rejections under 35 U.S.C. 102(b) of claims 1, 2, 4, 7, 10, 17-21, 59, 62, 66 and 67 as being anticipated by JP 10-50124; of claims 1, 2, 4, 24, 25, 33, 34, 36, 39, 42, 66 and 75 as being anticipated by BLONDER et al (US 6,036,327); and of claims 1,

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10, 24, 25, 33, 42, 66 and 71 as being anticipated by TOKUNAGA (US 5,375,043).

In the First Office Action, the Examiner issued rejections under 35 U.S.C. 103(a) as being unpatentable over JP 10-50124 in view of various other references. There were a total of thirteen (13) references. The Examiner indicates now that with regard to the rejections under 35 U.S.C. 103(a) as being unpatentable in view of JP 10-50124, he has modified the Final Rejection to base his rejections under 35 U.S.C. 103(a) instead on TOKUNAGA in view of seven other references. There are now a total of eight (8) references.

The applicants had argued that neither BLONDER nor TOKUNAGA, taken alone or in combination, disclose, teach or suggest the limitations of claim 33 of "at least one layer among layers constituting said electroluminescence device is embedded in said optical conductor." The applicant argued that claims 34, 36, 39 and 42 stand together with claim 33.

With respect to claims 33, 42, 54, 55, 67, 68, 70, 75 and 76, the Examiner now asserts that the outer portion or sealing cap of the embedded electroluminescence (EL) device of TOKUNAGA constitutes at least a layer which is embedded in the optical conductor, as recited by claim 33. The Examiner bases the remaining rejections on the combination of TOKUNAGA and JONES (US 6,198,220), SCHONIGER et al (US 4,903,172), CODAMA et al (US 6,121,726), JP 10-50124, TIAO et al (US 6,254,246), INOHARA et al (US 4,357,557), and TAI et al (US 5,608,837). All of the references were previously cited in the First Office Action.

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35 U.S.C. 103(a) Rejections

The Examiner has rejected claims 33, 42, 54, 55, 67, 68, 70, 75 and 76 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA (US 5,375,043) in view of JONES et al (US 6,198,220).

The Examiner has rejected claims 35 and 78 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA (US 5,375,043) in view of JONES et al (US 6,198,220) as applied to claims 33, 42, 54, 55, 67, 68, 70, 75 and 76 above and further in view of SCHONIGER et al (US 4,903,172).

The Examiner has rejected claims 43-45 and 47-49 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA (US 5,375,043) in view of JONES et al (US 6,198,220) as applied to claims 33, 42, 54, 55, 67, 68, 70, 75 and 76 above and further in view of CODAMA et al (US 6,121,726).

The Examiner has rejected claims 50, 51 and 63 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA (US 5,375,043) in view of JONES et al (US 6,198,220) as applied to claims 33, 42, 54, 55, 67, 68, 70, 75 and 76 above and further in view of reference JP 10-50124.

The Examiner has rejected claims 52 and 79 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA (US 5,375,043) in view of JONES et al (US 6,198,220) as applied to claims 33, 42, 54, 55, 67, 68, 70, 75 and 76 above and further in view of TIAO et al (US 6,254,246).

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The Examiner has rejected claims 56-58 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA (US 5,375,043) in view of JONES et al (US 6,198,220) as applied to claims 33, 42, 54, 55, 67, 68, 70, 75 and 76 above and further in view of INOHARA et al (US 4,357,557).

The Examiner has rejected claim 64 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA (US 5,375,043) in view of JONES et al (US 6,198,220) and reference JP 10-50124 as applied to claims 33, 42, 50, 51, 54, 55, 63, 65, 67, 68, 70, 75 and 76 above and further in view of TAI et al (US 5,608,837).

Specifically with respect to claim 33, the Examiner asserts that TOKUNAGA et al, FIG. 2, discloses an LED 2 that is at least partially embedded in the optical conductor (light guiding plate 1).

The Examiner concedes that TOKUNAGA et al do not disclose the EL device with plural layers. However, the Examiner asserts that JONES et al FIG. 1 teaches plural layers forming an EL or LED device (sealed organic LED display 100). The Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the LCD of TOKUNAGA et al to include the multilayer structure of the EL device as taught by JONES et al.

The applicant directs the Examiner's attention to the fact that allowable claim 34 has been rewritten into independent form including all of the limitations

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of base claim 33. Claim 33 has been cancelled without prejudice. In that claims 34-58 collectively depend from allowed claim 34, the applicants respectfully request that the Examiner withdraw the rejections of claims 34-58 under 35 U.S.C. 103(a).

Allowable claim 65 been rewritten into independent form. Since claim 64 now depends from claim 65, the applicants respectfully request the Examiner to withdraw the rejection of claim 64 under 35 U.S.C. 103(a).

With respect to claim 67, the Examiner asserts on page 3, paragraph 8, of the Office Action, that TOKUNAGA et al, FIG. 4, item 5 (optical fiber 5) discloses a light-permeable expander on the end surface of the optical conductor 1, the electroluminescent device 2 being formed on the expander (optical fiber 5).

In response, the applicants again maintain that TOKUNAGA et al do not disclose, teach or suggest a light-permeable expander, only optical fibers 5 which transmit the light without expansion. Therefore, claim 67 patentably distinguishes over TOKUNAGA et al and JONES et al, taken alone or in combination. As a result, the applicants respectfully request that the Examiner withdraw the rejections of claims 67-70 under 35 U.S.C. 103(a).

Allowable claim 77 been rewritten into independent form. Since claims 76, 78 and 79 now depend from claim 77, the applicants respectfully request the Examiner to withdraw the rejections of claims 76 and 78-79 under 35 U.S.C. 103(a).

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The foregoing Amendment and Remarks establish the patentable nature of all of the claims rejected or objected to remaining in the application, i.e., claims 20-23, 34-58, 64-65, 67-70 and 76-79. Claims 5, 6, 8, 9 13-16 and 72 are allowed. New claims 81-145 have been added. No new matter has been added. Wherefore, early and favorable reconsideration and issuance of a Notice of Allowance are respectfully requested.

Respectfully submitted,

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